



Local governments working together for a better metropolitan region

Chesapeake Bay and Water Resources Policy Committee

Date: Friday, Nov. 30, 2007

Time: 10:00 a.m. – 12 noon \*

Place: Third Floor Board Room
777 North Capitol Street, NE
Washington, DC 20002

- District of Columbia
Bladensburg\*
Bowie
College Park
Frederick
Frederick County
Gaithersburg
Greenbelt
Montgomery County
Prince George's County
Rockville
Takoma Park
Alexandria
Arlington County
Fairfax
Fairfax County
Falls Church
Loudoun County
Manassas
Manassas Park
Prince William County

\*Lunch will be available for committee members and alternates after the meeting.

Meeting Agenda

10:00 1. Introductions and Announcements..... Hon. Martin Nohe
Chair, Prince William County

10:05 2. Approval of Meeting Summary for Sept. 21, 2007..... Chair Nohe

Recommended action: Approve DRAFT Meeting Summary (Att. 2).

10:10 3. Update on Greater Washington 2050 ..... Paul DesJardin, Chief of
Housing and Planning

The COG Board has approved a plan to foster a regional consensus on enhancing the quality of life in the National Capital region between now and 2050. This "Greater Washington 2050 Compact" would seek to address how to balance future growth and economic development with environmental, health, and other goals. Mr. DesJardin will update members on the proposed schedule, work plan and budget for this effort (Att. 3) as well as the status of the ad hoc committee being formed to oversee it.

Recommended action: Appoint CBPC representative to Greater Washington 2050 oversight committee.

10:30 4. Review of Environmental Mitigation Maps ..... Monica Bansal, Dept.
of Transportation Planning

Ms. Bansal will brief members on a series of new maps (see http://www.mwcog.org/regionaltransportationplan/activities/envconsult.asp) that the regional Transportation Planning Board has created as a result of consultation efforts with environmental agencies on the development of the Constrained Long Range Plan (CLRP). The maps compare natural resource data, such as wetlands, to the major CLRP projects (see Att. 4).

Recommended action: Review and provide comment on the maps.

- 10:45 5. **Local Government Role in Bay Program** ..... Hon. Penelope Gross, Fairfax County  
Ted Graham, COG Water Resources Dir

As the Chesapeake Bay Program grapples with an effort to re-organize itself in response to recent criticism, the role of local governments in its structure is open to debate. COG recently sent a letter (Att. 5a) in response to one such proposal, which would have eliminated the Local Government Advisory Committee (LGAC). Bay Program staff subsequently asked COG to propose its ideas for local government involvement (Att. 5b). Ms. Gross, who chairs the LGAC, and Mr. Graham will present a staff proposal for LGAC re-organization.

**Recommended action:** Approve staff proposal for transmission to Bay Program.

- 11:15 6. **Legislative Update**..... COG staff

COG staff will update members on recent activities in the Maryland General Assembly and on proposed Bay-related legislation for the upcoming general assembly sessions in Virginia and Maryland.

**Recommended action:** Determine whether COG should take any action in regard to these proposals and, if so, approve such recommended action for consideration by the COG Board at its Dec. 12 meeting.

- 11:35 7. **Report on Green Infrastructure Project**..... John Galli, COG staff  
Brian LeCouteur, COG staff

Mr. Galli and Mr. LeCouteur will update the committee on COG's Green Infrastructure Demonstration Project, Regional Agricultural Initiative and Urban Waste Wood Recovery Project. The three separate projects are part of an overall effort to protect and enhance "green infrastructure" in the Washington metropolitan region.

- 11:50 8. **Updates** ..... COG staff

- Potomac Conservancy Report (Att. 8)
- Emerging Contaminants report -- status and regional coordination

- 11:55 9. **New Business** ..... Members

- 12:00 10. **Adjourn**

*The next meeting is scheduled for Friday, Jan. 18, 2008, 10 a.m. - 12 noon.*

Enclosures/Handouts:

- |         |   |
|---------|---|
| Item 2  | DRAFT meeting summary of Sept. 21, 2007   |
| Item 3  | Greater Washington 2050 proposed work program and other materials                           |
| Item 4  | Excerpts from TPB web site on environmental mitigation efforts                              |
| Item 5a | Letter from Chair Martin Nohe to Jeffrey Lape dated Oct. 31, 2007                           |
| Item 5b | COG staff proposal on local government role in Bay Program ( <i>to be sent separately</i> ) |
| Item 8  | Potomac Conservancy 2007 "State of the Nation's River" report                               |

**CHESAPEAKE BAY and WATER RESOURCES POLICY COMMITTEE**  
**777 North Capitol Street, N.E.**  
**Washington, D.C. 20002**

**DRAFT MINUTES OF SEPTEMBER 21, 2007, MEETING**

**ATTENDANCE:**

**Members and alternates:**

Chair Martin Nohe, Prince William County  
Shelia Besse for Hamid Karimi, District of Columbia  
J Davis, City of Greenbelt  
Penelope Gross, Fairfax County  
Bruce Williams, Takoma Park  
Carole Larsen, Frederick County  
Andy Brunhart, WSSC  
Moisin Siddique, DC-WASA  
J. L. Hearn, WSSC

**Guests:**

Jeff Lape, Chesapeake Bay Program Office  
Gerald Winegrad  
Jenn Aiosa, Chesapeake Bay Foundation  
Suzan Bulbulkaya, Chesapeake Bay Commission

**Staff:**

Ted Graham, DEP Water Resources Program Director  
Paul DesJardin, Chief of Housing and Planning  
Tanya Spano, DEP  
Steve Bieber, DEP  
Heidi Bonnaffon, DEP  
Karl Berger, DEP

**1. Introductions and Announcements**

Chair Martin Nohe called the meeting to order at 10:05 a.m. He made one announcement and recognized Mr. DesJardin for another.

Chair Nohe noted that seven area wastewater treatment facilities were recognized for their environmental achievements by the National Association of Clean Water Agencies. Ms. Gross noted that one of the main challenges facing the Bay restoration effort is to extend that same level of performance to wastewater plants in smaller jurisdictions.

Mr. DesJardin provided an update on what has become known as the Greater Washington 2050 initiative, which is being proposed by an ad hoc committee of COG's Metropolitan Development Policy Committee as a way for the region to look at achieving quality of life goals on a long-term basis. Mr. DesJardin noted that the COG Board is scheduled to take final action to approve the initiative at its October meeting and he distributed copies of a letter from COG executive director David Robertson asking for comment on the draft proposal.

Action item: Members agreed with a staff suggestion that the issue of potential committee representation on any

group formed to oversee this new initiative, if approved by the Board, be addressed at the committee's November meeting.

## **2. Approval of Meeting Summary for July 20, 2007**

The committee approved the draft summary.

## **3. My Perspective on the Chesapeake Bay Program**

Mr. Lape, who was recently appointed as director of EPA's Chesapeake Bay Program Office, provided his perspective on ongoing efforts to re-organize the Bay Program and accelerate progress toward achieving the water quality goals of the Chesapeake Bay 2000 Agreement.

He noted that the current focus on restructuring was prompted by several government reports, one by the General Accounting Office and one by the EPA's Inspector General, that were critical of the Bay Program's progress toward meeting water quality goals and its strategy for doing so.

Since joining the Bay Program in the spring, he said, he has tried to meet with all the official Bay Program partners and many other groups to hear their concerns. He said the discussion has been focused on three questions:

- Has he talked to enough people?
- What are the main ideas for taking the Bay Program to another level?
- What are the steps that must be taken to implement these actions?

The most important and discussed recommendation, he noted, was for the Bay Program to focus more directly on the implementation of measures that reduce nutrient and sediment loadings. This includes the need for new strategies for helping local governments address the impacts of new and existing development. Mr. Lape said that the Bay Program needs to expand the participation of state and federal government agencies that are currently involved in the program and do a better job of engaging local governments and watershed groups. He noted that Bay Program staff is working to simplify and streamline the committee structure as part of ongoing re-organization efforts. Other areas of emphasis include developing a better communication plan and identifying and implementing new ideas for making progress.

Discussion: Ms. Gross expressed the committee's appreciation for Mr. Lape's comments. She noted that the issue of local government representation on the Bay program has long been a concern of COG and also of the members of the bay program's Local Government Advisory Committee, which Ms. Gross currently chairs.

Ms. Gross also noted that urban local governments in the COG region and elsewhere are very interested in the likely development of Bay-wide TMDL (total maximum daily load) regulations that will govern nutrient discharges by wastewater plants and that will likely effect local government stormwater permits as well. She asked that local government representatives be included in the discussions that may lead to the development of these new policies.

Action item: The committee directed staff to draft a letter for the Chair's signature that articulates these

concerns to the appropriate Bay Program officials.

#### **4. What Will It Take to Restore the Bay?**

Mr. Weingrad, a former Maryland state senator and an environmental policy professor at the University of Maryland, presented his ideas for reinvigorating what he described as a stalled effort to restore the Bay.

Using data from the Bay Program itself, he noted that trends based on living resource parameters such as water clarity and fish populations have declined in recent years. He said that crab populations are on the verge of a collapse and that the oyster population in the Bay already had collapsed. He also pointed to land use trends showing that the amount of land being developed and being converted into impervious surface are increasing at rates greater than the overall increase in population. Even in Maryland, he said, smart growth is not working.

He then presented a number of ideas for how to reverse these negative trends at least within the framework of legislation and programs in Maryland. They include:

- comprehensive state growth management legislation
- an enforceable means of achieving no net loss of existing forest acreage throughout the watershed
- more funding for the state's open space and farmland preservation funds.
- enactment of the "Green Fund" legislation proposed in the previous General Assembly session that would levy a fee on impervious surface to pay for restoration measures in the agricultural and stormwater management areas.
- a requirement that comprehensive nutrient management plans on farms actually be implemented
- a requirement that all new development be served by state-of-the-art stormwater management that achieves a goal of replicating the pre-development hydrology of the site.

Discussion: Several members wondered how these prescriptions would work in Virginia, where state law precludes local governments from taking actions that are not specifically authorized by the general assembly and where lawmakers from other parts of the state often defeat initiatives proposed by local governments in northern Virginia.

#### **5. Legislative Panel Discussion**

Ms. Bulbulkaya, representing the Chesapeake Bay Commission, briefly outlined legislative developments that could affect the Bay restoration effort in Congress and in the Virginia General Assembly. Although no specific bills have been introduced as yet, she said, the latter body is focused on how to raise more funds for agricultural conservation measures.

Ms. Aiosa, representing the Chesapeake Bay Foundation, focused on legislative efforts in Maryland, particularly on efforts to revive the so-called Green Fund. The fund was proposed in the 2007 Maryland General Assembly session as a way of raising more money for a variety of water quality improvement measures, including the planting of cover crops by farmers and the installation of stormwater management BMPs by local governments. Had it passed, the fund would have received money from a new fee to be assessed on the builders of new structures based on the amount of impervious surface created during the building process.

After the measure failed, the Bay Foundation and other Green Fund supporters spent a lot of time talking to stakeholder groups about how to change the measure to make it more acceptable. Based on this feedback, Ms.

Aiosa said, this year's Green Fund proposal no longer distinguishes between existing and newly-created impervious surface. It proposes to levy an annual fee of 1 cent per square foot of impervious surface on the owners of all buildings, whether residential, commercial or industrial. She said supporters hope to have the revised Green Fund proposal introduced during a special session of the legislature that Gov. Martin O'Malley is likely to call to address the state's projected budget shortfall in the next fiscal year.

Discussion: In response to a question from Chair Nohe, Ms. Aiosa said that the current proposal would require local governments to collect the fee. However, she added, it does allow jurisdictions to keep up to five percent of funds collected for administrative purposes.

Ms. Davis asked whether local governments would be exempt from the fee. Ms. Aiosa replied that this issue was not addressed by those formulating the revised proposal, but such an exemption would raise other, similar concerns, such as whether the fee would apply to roads. She said the group's goal was to make the proposal as simple and straightforward as possible.

Ms. Gross wondered whether a similar approach would work in Virginia. She noted that various General Assembly groups are currently looking at different ideas for raising additional funds for water quality work.

## **6. New Business**

Ms. Spano provided the members with details of an upcoming water quality monitoring forum that COG staff plans to coordinate later in the year.

## **7. Adjourn**

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

***Greater Washington 2050  
Draft Work Program***

**A Proposal Prepared by:  
Metropolitan Development Policy Committee**

**For:  
Metropolitan Washington Council of Governments**

**December 12, 2007  
Board of Directors Meeting**

**DRAFT  
November 13, 2007**





# **Proposed Work Plan For *Greater Washington 2050***

## **Background**

In 2006, the Metropolitan Washington Council of Governments (COG), the Greater Washington Board of Trade and the Community Foundation for the National Capital Region co-convened work groups to review and make recommendations on a proposal to launch a regional visioning campaign, known as Envision Greater Washington. This effort arose following the Reality Check on Growth event in February 2005 and the Potomac Conference in February 2006. COG's Metropolitan Development Policy Committee (MDPC), as the COG Board's principal policy advisor on growth and development, also monitored and reviewed the Envision Greater Washington proposal. A recent staff business plan expanded on the Envision Greater Washington proposal completed by the organizing committee in July 2006.

During their April 11, 2007 meeting, the COG Board of Directors was briefed on the outcomes and recommended next steps on Envision Greater Washington, specifically:

- *What are the specific elements/activities that would be carried out through a visioning effort, how will it be funded, and how will progress be measured?*
- *How can the region avoid reinventing the wheel and how can we be sure there is added value from this effort?*
- *Does the region need more planning or should we focus our resources on advancing the vision and plans we already have?*
- *What will be different, better and/or measurable as a result of this effort?*

The COG Board also adopted Resolution R34-07 which charged the MPDC with advancing action on this effort, specifically directing the Committee to review the July 2006 Envision Greater Washington report and other supporting information, and to identify specific actions that can be quickly implemented by COG or proposed for the work program and budget to advance the principles of:

1. *Stronger multi-sector, multi-jurisdictional and citizen engagement.*
2. *Leveraging existing plans and visions.*
3. *Public choice through deeper understanding of the impact and consequences of alternative growth and investment scenarios.*
4. *A commitment to action and outcomes*

## **Metropolitan Development Policy Committee Recommendations and Proposed Work Program**

The Metropolitan Development Policy Committee (MDPC) established a work group to respond to the COG Board request. The work group convened 4 times, and its members felt strongly that any effort must build upon recent and long-term achievements of COG and its member local governments to address growth. MDPC members presented the

Committee's recommendations from those meetings during the COG Retreat and again during the COG Board of Directors meeting on September 12, 2007. On October 10, the COG Board approved Resolution R62-07, endorsing the creation of Greater Washington 2050 to foster regional consensus on enhancing the quality of life in the National Capital Region between now and 2050. As recommended by the Board, the outcomes of Greater Washington 2050 will eventually be formalized through a Greater Washington 2050 Compact, which will define a common regional vision for all stakeholders.

As recommended in Resolution R62-07, the MDPC hereby submits the Greater Washington 2050 work program and budget to the COG Board for approval.

**Action 1:**

The MDPC recommends that the effort be re-named Greater Washington 2050.

**Major work program tasks:**

With the approval of Resolution R62-07 by the COG Board in October, this action is complete.

**Products:**

N/A

**Estimated budget:**

N/A

**Action 2:**

To fulfill its obligations in overseeing the *Greater Washington 2050* initiative and as well as its standing responsibility as policy advisor to the COG Board on matters pertaining to land use, growth, and economic development, the MDPC recommends that COG commit to strengthening the membership of the Metropolitan Development Policy Committee through a re-affirmation of the *Bylaws of the Metropolitan Development Policy Committee*. For example, in addition to COG local government representation, the *Bylaws* currently recommend active participation by the federal government, and representatives from other COG standing and short term policy committees, including the Transportation Planning Board (TPB); Metropolitan Washington Air Quality Committee (MWAQC). Representation should also be sought from COG's Chesapeake Bay Policy Committee (CBPC) and Human Services Policy Committee (HSPC) and the Climate Change Steering Committee (CCSC).

**Major work program tasks:**

1. Review and re-affirm 1996 bylaws of the Metropolitan Development Policy Committee (MDPC) and the Metropolitan Development Citizens Advisory Committee (MDCAC)

2. Review composition of Metropolitan Development Policy Committee and invite active participation from other standing policy committees.
3. Enhance membership and responsibilities of the MDCAC.

**Products:**

1. Enhanced MDPC and MDCAC bylaws and membership

**Budget:**

N/A – resources in existing work program

**Action 3:**

Consistent with the *Bylaws*, the MDPC recommends that a *Greater Washington 2050 Committee* composed of MDPC and other COG Policy Committee representatives be established and charged with oversight of the *Greater Washington 2050* initiative for a period of 2 years, with a goal of developing a regional *Greater Washington 2050 Compact* to address growth-related issues. The *Greater Washington 2050 Committee* prepared a draft work program for review by the COG Board during their annual retreat on July 27 to 29, 2007, with final action by the Board during December 2007. Also, consistent with the recommendations of Action 2, the MDPC recommends that the *Greater Washington 2050 Committee* include representatives from existing COG and TPB policy committees, as well from key regional business, civic and environmental stakeholders.

**Major work program tasks:**

1. Establish committee governance and responsibilities to oversee Greater Washington 2050 initiative
2. Invite membership and active representation from
  - a. standing COG policy committees
  - b. key regional business, civic and environmental stakeholder organizations

**Products:**

1. Establishment of a committee to oversee work program and products of Greater Washington 2050 that will make recommendations to COG Board through the MDPC.

**Budget:**

N/A – resources in existing work program

**Action 4:**

To develop the *Compact*, the MDPC recommends a literature review and comprehensive assessment of the common goals articulated in existing member jurisdiction comprehensive and functional plans; previous and current regional “visioning” efforts; and applicable federal and state regulations. This research would define specific

elements of the *Compact* to address: land use, economic growth, environmental quality, transportation, affordable housing, population and demographics, health climate and energy. The *Compact* will include appendices containing a detailed listing of the goals as specifically articulated in the member jurisdiction plans and other documents. The MDPC also requests that other COG Policy Committees (MWAQC, TPB, HSPC, CBPC, and CCSC) provide more detailed goals based on their existing body of work. The MDPC further recommends that the appendices include a summary of the external influences for each level of government: county on local, state on county, federal on all entities.

**Major work program tasks:**

1. Inventory and review local and regional plans, goals, and vision statements
2. Obtain goals and policy statements from standing COG policy committees

**Products**

1. Prepare summary document of common regional goals
2. Draft language for the *Greater Washington 2050 Compact*

**Budget:**

N/A – resources in existing work program

**Action 5:**

To assist with Action 4 and with the development of the *Compact*, the MDPC recommends that COG undertake a scientific survey to determine citizens' attitudes concerning growth and quality of life issues in the Washington region

**Major work program tasks:**

1. Work with COG policy committees and staff to develop survey questions
2. Identify consultant to undertake survey and prepare report

**Products:**

1. Summary report of citizen and stakeholder perceptions concerning growth and quality of life issues

**Budget:**

\$75,000 (estimate)

**Action 6:**

The MDPC recommends that COG and TPB staff greatly expand upon the work of the *Regional Mobility and Accessibility Study (RMAS)* by developing additional measures of effectiveness (MOEs) for the existing alternative land use and transportation scenarios. Potential indicators include: air quality, water quality and supply, climate change, energy

consumption, open space loss / preservation, and affordable housing. In addition, the MDPC recommends that COG and TPB staff work to develop additional technical “tools” for communicating the results of this work to the public.

**Major work program tasks**

1. Work with COG policy and technical committees, and staffs of the Departments of Human Services, Planning and Public Safety (HSPPS), the Department of Transportation Planning (DTP) and the Department of Environmental Programs (DEP) staff and committees to develop additional economic, transportation, environmental, and quality of life MOEs.
2. Work with HSPPS, DTP and DEP and COG Office of Public Affairs (OPA) staff to develop new technical tools for communicating the RMAS results.
3. Work with HSPPS, DTP, DEP and OPA to expand outreach on findings of impacts to citizens, stakeholders and advocacy groups

**Products:**

1. Maps, data and other analyses
2. Technical and policy reports, brochures
3. Targeted presentations to:
  - a. Professional associations and panels
  - b. Business, civic and advocacy groups
  - c. *Greater Washington 2050* events, conferences, TBD

**Budget:**

\$+125,000, some elements also in current work program

**Action 7:**

Upon completion of Actions 1 through 6, the MDPC recommends that COG commit to the *Greater Washington 2050 Compact* which will articulate the need for coordinated long-range planning to ensure a high quality of life for current and future residents while benefiting from the region’s anticipated growth. Among the basic tenants of the *Compact* would be the willingness of the signatory member jurisdictions to subscribe to: long-range planning of at least 40 years; timely implementation of the stated goals of the *Compact*; creative financing of public infrastructure and enhanced governmental services to achieve the goals; and development of inter-jurisdictional projects and agreements where necessary to achieve the goals

**Major Work Tasks:**

1. Work with COG and regional stakeholders to articulate and implement goals of the *Greater Washington 2050 Compact*.

**Products:**

1. Development of local and regional policies to ensure implementation of the *Compact*

**Budget:**

N/A - Implicit in existing work program

**Action 8:**

To assess progress in achieving the specific goals of the *Compact*, the MDPC recommends the development of a series of metrics for each element. The MDPC further recommends the preparation of a tri-annual report detailing an analysis by jurisdiction of the region's progress towards achievement of the goals, consistent with the major update cycles of the TPB's financially Constrained Long-Range Plan (CLRP) and the Cooperative Forecasts.

**Major work program tasks:**

1. Engage HSPPS, DTP and DEP staffs to develop quantitative and qualitative metrics for semi-regular assessments of progress in achieving goals of the *Greater Washington 2050 compact*
2. Work with HSPPS, DTP, DEP and OPA to expand outreach on findings of impacts to citizens, stakeholders and advocacy groups

**Products:**

1. Quantitative and qualitative economic, environmental and transportation indicators for bi-annual assessment of goals achievement
2. Benchmarking initial report concerning regional progress

**Budget:**

\$75,000; some elements also in current work program

**Action 9:**

The MDPC recommends that COG staff and the *Greater Washington 2050 Committee* develop a Communications Plan to disseminate the purpose and understanding of the *Compact* with the primary focus being the support of local elected officials in their roles of balancing the need to support local projects and authority with regional planning goals. Included in the Communications plan will be specific recommendations on ways to enhance the Transportation Planning Board's public outreach on the alternative growth scenarios developed through the Regional Mobility and Accessibility Study (RMAS).

**Major work tasks**

1. Development of training and "talking points" to assist elected officials
2. Development of a "communications package" for local jurisdictions to brief their constituents
3. Work to leverage new and existing technologies to more broadly disseminate the information

**Budget:**

\$20,000

**Action 10:**

The MDPC recommends that the *Greater Washington 2050 Committee* reach out to all adjacent planning regions to collaborate on a bold 21<sup>st</sup> century investment plan to address the issues of environmental quality, energy efficiency, climate change, sprawling development and the transportation challenges that face the greater mid-Atlantic region. One near-term opportunity is the transportation reauthorization bill expected in 2009 and the potential to address the climate, national security, energy, freight, high-speed passenger and commuter rail, and transit issues of our rapidly growing region.

**Major work tasks:**

1. Enhanced coordination with adjacent regions north, south, east and west of metropolitan Washington to achieve common policy goals for growth
2. Work in collaboration with Baltimore and Richmond and other neighboring MPOs to develop a broad regional transportation investment plan as part of 2009 reauthorization of the surface transportation bill.

**Products**

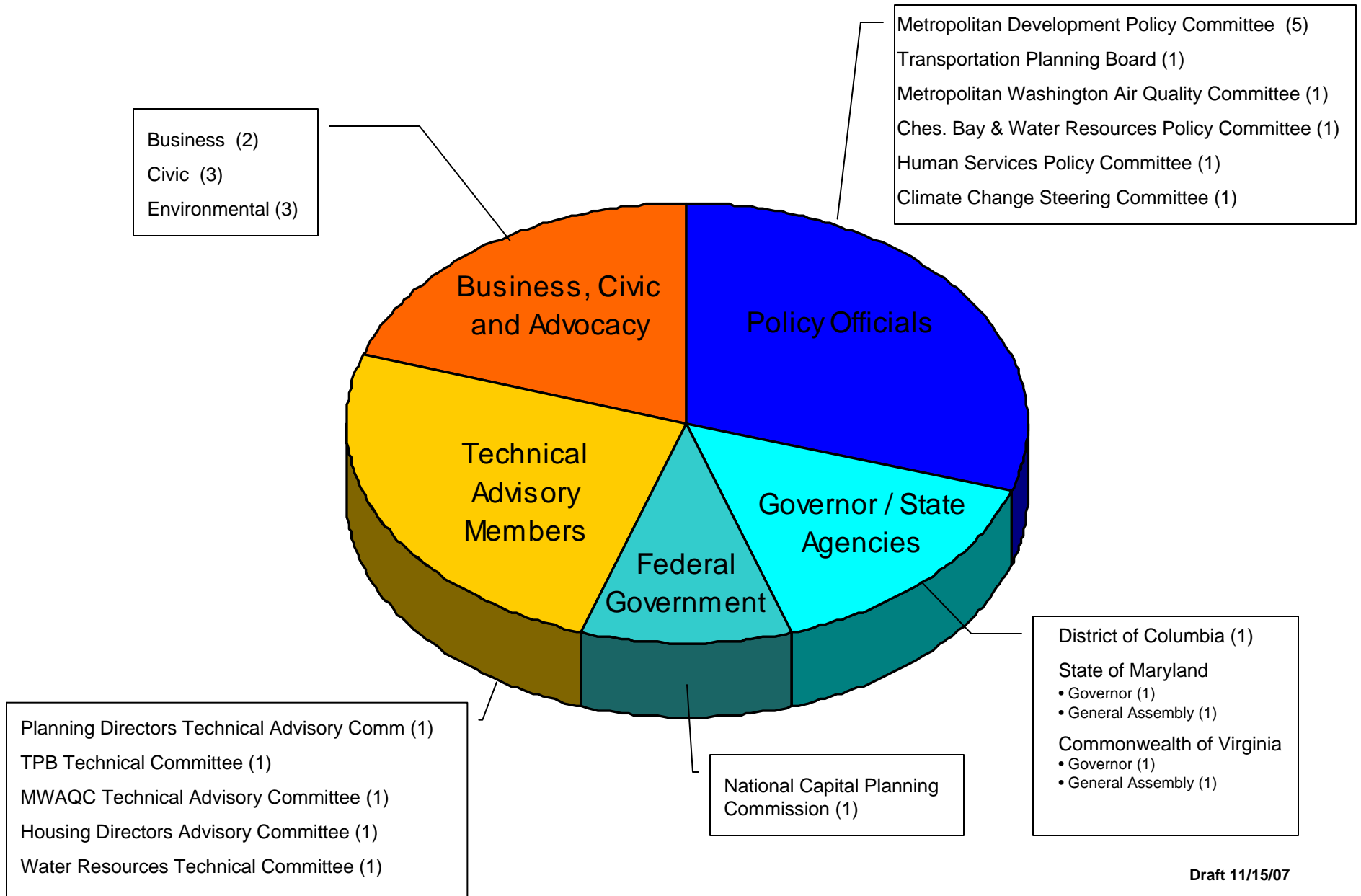
1. Coordination and collaboration on Greater Washington 2050 compact with leadership of adjacent regions
2. Drafting of request for special multi-regional transportation investment plan

**Budget:**

TBD, some elements in current work program



# Greater Washington 2050 Coalition







## **Environmental-Related Mapping of the Financially Constrained Long Range Transportation Plan (CLRP)**

October 2007

As of 2007, the National Capital Region Transportation Planning Board (TPB) is federally required to engage and consult with affected land use management, natural resources, environmental protection, conservation and historic preservation state and local agencies regarding the development of the long-range transportation plan, called the CLRP<sup>1</sup>. In compliance with these regulations, this initial consultation establishes a dialogue with environmental agencies and creates a foundation for ongoing consultation and knowledge sharing regarding environment issues on a regional, system-wide scale. This effort has led to the creation of the following maps, which show the intersection of the CLRP with State conservation plans and inventories of natural or historic resources.

This consultation effort was initiated in March 2007 when the TPB solicited input and comments on the draft 2007 CLRP, requested suggestions on potential environmental mitigation strategies and collected environmental GIS data from natural resource and environment agencies in D.C., Maryland and Virginia. The TPB sent ninety letters to various representatives from state and local resource agencies, out of which sixteen replies were received. The GIS information request was the most successful aspect of this effort and led to direct collaboration with the following agencies on the mapping effort:

- Maryland Department of Natural Resources
- Maryland Department of Planning
- National Park Service
- Virginia Department of Conservation and Recreation
- Virginia Department of Game and Inland Fisheries
- Virginia Department of Historic Resources
- Virginia Marine Resources Commission

For more information on the TPB's environmental consultation and mitigation discussion, please see the attached documents outlining the draft mitigation discussion and a summary of the fifteen replies received from the TPB's initial outreach effort.

The draft maps in this section are a product of this initial consultation effort and will serve as a starting point for the next round of annual consultations. The maps will be shared with environmental, historic preservation and transportation agencies in order to initiate a dialogue between the agencies and the TPB regarding intersections between transportation planning and regional resource conservation and preservation concerns.

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<sup>1</sup> 23 C.F.R. § 450.322(g)

By defining and inventorying environmental resources and data, these maps will be used to inform state and local agencies and the public about the relationship between the CLRP and environmental concerns at the regional scale, rather than at the project level. The maps can serve as a tool to identify long-term regional mitigation strategies, such as the early identification of major environmental obstacles before defining exact project right-of-ways. These initial maps also serve an important purpose in identifying any gaps in the data that may be filled over time as the consultation process becomes more robust.

This consultation effort is strictly intended to examine the CLRP at a *regional* scale and not at the project level, as is outlined in the federal regulations. Moreover, at this early planning stage, specific project information regarding exact locations and project dimensions are not known. Therefore, it is important to note that the lines representing CLRP projects in the maps do not represent actual alignments, but rather are general depictions of project locations. Each map also includes detailed data descriptions of the environmental data used, which outlines data origin and definitions. These descriptions have also been compiled into the attached data index for easier reference.

These maps represent an initial effort by the TPB to engage environmental and historic preservation agencies. The consultation process and the maps will continue to develop and improve every year as past activities are evaluated and more information becomes available. For more information about the TPB's environmental consultation efforts or to comment on the maps, please contact Monica Bansal on the TPB Staff at [mbansal@mwkog.org](mailto:mbansal@mwkog.org) or (202) 962-3290.



## Draft Discussion of Potential Environmental Mitigation Activities for Agency Review

October 2007

### **Background**

Metropolitan transportation planning is a regional process that is used to identify the transportation issues and needs in metropolitan areas. In metropolitan areas over 50,000 in population, the responsibility for transportation planning lies with designated Metropolitan Planning Organizations (MPO). The MPO for the Washington metropolitan area is the National Capital Region Transportation Planning Board (TPB). Each year the TPB prepares a transportation plan for 2030 and a six-year program that the federal government must approve in order for federal-aid transportation funds to flow to the Washington region. Members of the TPB include representatives of local governments; state transportation agencies; the Maryland and Virginia General Assemblies; the Washington Metropolitan Area Transit Authority; and non-voting members from the Metropolitan Washington Airports Authority and federal agencies.

### **What is the Constrained Long-Range Transportation Plan (CLRP)?**

The Financially Constrained Long-Range Transportation Plan (CLRP) identifies and recommends projects and programs to meet the existing and future transportation needs of the public through the year 2030. The plan includes all “regionally significant” transportation projects and programs that are planned for the Washington metropolitan region by 2030. Each year the plan is updated to include new projects and programs, and analyzed to ensure that it meets federal requirements relating to air quality and funding. The inclusion of a project in the long range transportation plan represents preliminary regional support for that improvement. Transportation projects in the CLRP go through several steps from conception to implementation and take many years to successfully complete.

More information about the CLRP can be found here: [clrp.mwcog.org](http://clrp.mwcog.org).

### **The CLRP and Project Level Environmental Analysis**

The CLRP includes projects expected to be built by 2030 and covers a geographic area of approximately 3,000 square miles. Detailed environmental analysis conducted through the National Environmental Policy Act (NEPA) does not apply to the CLRP. With exceptions for regional ambient air quality, offsetting environmental impacts during the long-range planning process is not required. While detailed environmental analysis is not required, it is important to consult with environmental resource agencies during the development of a long-range transportation plan.

Detailed environmental analysis of individual transportation projects occurs later in the project development process as the improvement approaches the preliminary engineering stage. At this stage, project features may be narrowed and refined, and

the environmental impacts and environmental mitigation strategies can be appropriately ascertained.

### **Impact Types and Mitigation Strategies**

Some common environmental impact types that are considered in an environmental analysis for a specific project include:

- Neighborhoods and communities, homes and businesses
- Cultural resources (i.e. historic properties or archaeological sites);
- Parks and recreation areas;
- Wetlands and water resources;
- Forested and other natural areas;
- Agricultural areas;
- Endangered and threatened species; and
- Air Quality.

Environmental mitigation is the process of addressing damage to the environment caused by transportation or other public works projects. Commonly, actions taken to avoid or minimize environmental damage are also considered mitigation as well.

Potential environmental mitigation activities may include:

- avoiding impacts altogether;
- minimizing a proposed activity/project size or its involvement;
- rectifying impacts (restoring temporary impacts);
- precautionary and/or abatement measures to reduce construction impacts;
- employing special features or operational management measures to reduce impacts; and
- Compensating for environmental impacts by providing suitable, replacement or substitute environmental resources of equivalent or greater value, on or off-site.

### **Potential Mitigation Activities Identified in Environmental Studies**

A review of environmental studies from five major projects in the CLRP showed a wide range of potential activities being considered throughout the region<sup>2</sup>. A summary of those potential mitigation activities are provided here. Many studies discuss both planned strategies to prevent the environmental impact (minimization) and strategies to atone for it (mitigation).

**Table 1: Mitigation Strategies Identified in Five Major Projects in the Washington Region**

Resource	Potential Mitigation Strategy
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<sup>2</sup> Environmental documents from the following projects were reviewed: the Corridor Cities Transitway, Capital Beltway Study, I-495, Dulles Corridor Rapid Transit Project, Anacostia Corridor Demonstration project and the Intercounty Connector.

Neighborhoods and communities, homes and businesses	<ul style="list-style-type: none"> <li>• Minimize noise impact with sound barriers</li> <li>• Prevent the spread of hazardous materials with soil testing and treatment</li> </ul>
Wetlands and Water Resources	<ul style="list-style-type: none"> <li>• Replace or restore wetlands</li> <li>• Submerge or utilize bottomless culverts</li> <li>• Bridge sensitive areas instead of laying pavement directly onto the ground</li> <li>• Improve storm water management</li> </ul>
Forested and other natural areas	<ul style="list-style-type: none"> <li>• Use selective cutting and clearing</li> <li>• Replace or restore forested areas</li> <li>• Preserve existing vegetation</li> </ul>
Endangered and threatened species	<ul style="list-style-type: none"> <li>• Use selective cutting and clearing</li> <li>• Bridge sensitive areas instead of laying pavement directly onto the ground</li> <li>• Replace or restore forested areas</li> </ul>
Air Quality	<ul style="list-style-type: none"> <li>• Control loose exposed soils with watering or canvas sheets</li> <li>• Minimize idling of heavy construction vehicles</li> </ul>

**Role of the TPB in Potential Environmental Discussions**

The Washington region is composed of three major jurisdictions: suburban Maryland, Northern Virginia and the District of Columbia. Large transportation projects are underway that have regional significance as well as potential regional environmental impacts. However, project planning and funding for environmental mitigation comes from the state and local levels. The TPB could have a role in facilitating agencies' environmental mitigation efforts through information sharing about potential mitigation locations, techniques, best practices, etc.



## **Map Data Index, Environmental-Related Mapping of the CLRP**

October 2007

1. Wetlands
2. Floodplains
3. Protected Lands
4. Green Infrastructure
5. Sensitive Species
6. Historic Sites
7. Impervious Surface

### **Wetlands**

The wetland data represented in this map was obtained from the Maryland Department of Natural Resources and the US Fish and Wildlife Service's (USFWS) National Wetlands Inventory (NWI).

The Wetland layer represents the NWI and identifies land where saturation with water is a dominant characteristic, which often determines wetland-specific soil properties and the plant and animal life. The Wetlands of Special State Concern layer is state data, currently available only in MD. It delineates wetlands with rare, threatened, endangered species or that provide unique habitat so that they may receive special attention. The NWI provides the general basis for wetlands identification in this layer.

The 100-foot buffer layer represents a protective buffer from development for all wetlands, which is a generally accepted environmental best practice in order to adequately protect wetland habitat and its environmental functions.

The NWI maps do not show all wetlands and, as suggested by USFWS, hydric soil data developed by the National Cooperative Soil Survey was obtained from the U.S. Department of Agriculture. This national-level data was added to delineate possible wetlands because these soils, which are saturated or inundated long enough to support hydrophytic vegetation, possess unique properties normally associated with wetlands. Hydric soil spatial information was not available for Prince George's County, Charles County, and Fairfax County. However, when this data becomes available this map will be updated.

### **Floodplains**

This floodplain data was obtained at the county level for Maryland and Virginia and for the entire District of Columbia. The data used is Q3 flood data developed by the Federal Emergency Management Agency in 1996 from FEMA's Flood Insurance Rate Maps.

The data includes floodplain zones that are standardized to the 100-year flood, which are designated as Special Flood Hazard Areas. These areas have a one percent chance of being flooded in any given year.

The 100 year floodplains represented in this map were delineated by excluding all areas outside of a Special Flood Hazard Area.

All TPB counties and cities were included in the floodplain analysis except for Arlington County, for which digital data development is still underway by FEMA. This map will be updated when this data becomes available.

### **Protected Lands**

Each layer in this map is a generalized category with multiple layers of specific conservation data at the national, state and local level, obtained from the Maryland Department of Natural Resources and the Virginia Department of Conservation and Recreation. The information presented is thus intended to provide a general picture of protected lands in the TPB region and will be updated as more complete data becomes available.

The State Forests layer includes state managed forests in Virginia, however no protected forest land fell within the TPB boundary in Maryland. State Protected Land includes lands owned and protected by the state, such as state parks and natural area preserves. The Wildlife Management Areas layer is nationally compiled data obtained from the US Fish and Wildlife Service that delineates boundaries for National Wildlife Refuges. Easement Protected land includes all open land, such as farmland, forest land, and areas with significant natural resources, that are protected through conservation easements, perpetual agricultural easements, permanent environmental easements managed by the Maryland Environmental Trust, and easements held by the Virginia Outdoors Foundation. Private Conservation Lands include non-profit fee-simple lands and lands protected through private conservation organization ownership. The Agricultural Districts layer represents land that has been protected from non-agricultural uses as designated in both Maryland and Virginia. The Federal lands layer includes lands protected through federal agency ownership, such as federal parks, wildlife preserves and office complexes. The map also depicts locally owned/managed conservation lands, including easement-protected rural areas designated as significant to the community and the state by local governments and land trusts in Maryland.

### **Green Infrastructure**

The green infrastructure data represented in this map was obtained from the Maryland Department of Natural Resources and the Virginia Department of Conservation and Recreation.

The Natural Habitat Cores and buffers layer was derived from Virginia Conservation Lands Needs Assessment data representing “cores,” or unfragmented natural habitats and large patches of natural land cover with at

least 100 acres of interior conditions, and “natural landscape blocks”, or slightly fragmented areas of natural cover that buffer cores from major roads and human land uses. NLBs classify Deciduous Forests, Evergreen Forests, Mixed forests, Deciduous Wooded Wetlands, Evergreen Wooded Wetlands, Emergent Herbaceous Wetlands, Mixed Wetlands, Undeveloped Beaches/Dunes, and Maritime Grasses as natural land and do not contain areas of detected and estimated human disturbance.

The Maryland Green Infrastructure, Hubs and Corridors layer shows a) “hubs,” which are large contiguous areas (at least 100 acres) of interior forest, unmodified wetlands, important animal and plant habitats, sensitive aquatic habitats, and/or existing protected natural resource lands that buffered from major roads and/or human land uses; and b) “corridors,” which connect generally similar types of hubs together to help animals and plant propagules to move between hubs.

### **Sensitive Species**

The sensitive species data represented in this map was obtained from the Maryland Department of Natural Resources and the Virginia Department of Conservation and Recreation. MD and VA define areas containing sensitive species differently as described below. However, the datasets allow for general comparison.

The Natural Habitat Cores layer was derived from Virginia Conservation Lands Needs Assessment data representing “cores,” or unfragmented natural habitats and large patches of natural land cover with at least 100 acres of interior conditions. The cores represented in this map contain potential and confirmed habitats of more than 1 acre for Tier 1 species, the species of greatest conservation need in Virginia. The source of these data is the Virginia Department of Game and Inland Fisheries’ Wildlife Action Plan.

The Maryland Sensitive Species Project Review Areas shows buffered areas that primarily contain habitat for rare, threatened, and endangered species and rare natural community types. It generally includes regulated areas as Natural Heritage Areas, Wetlands of Special State Concern, Colonial Waterbird Colonies, and Habitat Protection Areas. This data was intended to inform the local jurisdictions and state agencies in assessing environmental impacts and reviewing potential development projects or land use changes.

### **Historic Sites**

The Historic Sites layer was derived from the National Register of Historic Places as administered by the National Park Service. The sites included in the Register include districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture. All of these sites are evaluated according to uniform standards that qualify them for preservation and consideration in the planning process.



### **Impervious Surfaces**

Impervious surface data was produced by the Mid-Atlantic Regional Earth Science Applications Center (RESAC). The percent imperviousness is a calculation of the amount of impervious surface within each 30 meter pixel, which was derived from analysis of multi-spectral satellite imagery (Landsat TM) acquired between 1999 and 2000. The map depicts this percent impervious with a range from white depicting no impervious land within the 30 meter pixel to bright red depicting 100% impervious land in the 30 meter pixel.

Based on analysis of this data, regional impervious surface calculations were made. In 2000, 17% of the region's total land area was found to be impervious surface, such as buildings and pavement.

The RESAC data does not cover 100% of the TPB jurisdiction, leaving out a portion of the northwestern tip of Loudoun County, Virginia. This area comprises less than 1% of the TPB area (17,853,300 square meters).

*A legacy of regional cooperation, a commitment to a vibrant future*

October 31, 2007

Att. 5a

Jeffrey L. Lape, Director  
Chesapeake Bay Program  
Environmental Protection Agency  
410 Severn Avenue  
Suite 109  
Annapolis, MD 21403

District of Columbia  
Bladensburg\*  
Bowie  
College Park  
Frederick  
Frederick County  
Gaithersburg  
Greenbelt  
Montgomery County  
Prince George's County  
Rockville  
Takoma Park  
Alexandria  
Arlington County  
Fairfax  
Fairfax County  
Falls Church  
Loudoun County  
Manassas  
Manassas Park  
Prince William County  
  
\*Adjunct member

Dear Mr. Lape:

With this letter, the Chesapeake Bay and Water Resources Policy Committee (CBPC) of the Metropolitan Washington Council of Governments (COG) wishes to go on record in opposition to any proposal for the reorganization of the Chesapeake Bay Program (CBP) that virtually eliminates a role for local governments. While the CBPC agrees that there is a need to restructure the Bay Program to better emphasize implementation, the proposal that was distributed for review on October 21 shows no role for local governments. This causes us serious concern since so much of the responsibility for implementation of Chesapeake Bay restoration projects falls on local governments. The CBP should be taking steps to increase, not diminish, participation by local governments.

COG has a long history of support for the restoration and protection of the Bay and has consistently stressed the importance of a significant role for local governments in both policy development and implementation. For example, in March 2000, as the C2K agreement was being finalized, the COG Board adopted a resolution "To Support *Chesapeake 2000: A Watershed Partnership With Changes To Expand Local Government Participation.*" COG and its member governments have tangibly demonstrated their support by numerous actions. The following examples are indicative of the type of role that local governments have played that further the restoration of the Bay and help design the best information to support policy decision-making.

- Hundreds of millions of dollars of investment in major upgrades to area wastewater plants to achieve state of the art nutrient removal levels.
- Additional millions of dollars of investment in stormwater management programs to reduce the effects of urban nonpoint source pollution.
- Numerous restoration activities related to the Anacostia River, one of the Bay Program's Priority Urban Watersheds.
- Active participation in numerous Bay Program technical committees and workgroups, providing a local perspective;
- Membership on the Local Government Advisory Committee including service as its Chair (COG and its members' LGAC involvement dates back to the committee's original creation in 1988);
- Assistance in the design and implementation of various workshops and seminars with and for EPA and the other Bay Program Partners;

- Active participation in the work of the Bay Program's Water Quality Technical Committee and various technical work groups to develop Bay-wide water quality criteria and load allocations;
- Membership on the Bay Program's Blue Ribbon Finance Panel;
- Significant financial and technical contributions to the upgrade to the Bay Program's Water Quality Model for the Potomac River; and
- Testimony at Congressional hearings on the Bay.

The reorganization proposal we reviewed is fundamentally flawed because it diminishes the role of local governments at a time when pressure is mounting to accelerate implementation of the tributary strategies. The proposal eliminates the Local Government Advisory Committee (LGAC) with no explanation. The only suggestion of any participation by local governments is the small box marked "Local Imp.," which is tenuously connected to the Policy Board via a dotted line through "State Implementation." Local governments are not mentioned in the "Proposed Functions" write-up.

It is noteworthy that EPA's Office of Inspector General issued its recent "Growth" report at a time when implementation has slowed so that there is no prospect of achieving the 2010 goals. Further, CBP data indicate that the urban sector is the only sector where loads have actually increased over the 1985 baseline. Much policy, technical and implementation work remains to be done at the local level precisely where the Bay Program Partners should be more actively engaging local governments. Land use planning, environmentally sensitive site design, retrofitting urban areas and implementation financing are all critical issues where local governments have made and can continue to make positive contributions. This is the kind of involvement that will be needed in order to reduce the nutrient and sediment loads from the urban sector.

Given the excellent discussion we had with you about local government participation at the CBPC meeting in September, we trust that you will understand our concern and agree that the absence of any mention of local governments in the proposed draft is a serious omission. The CBPC looks forward to discussions with the Bay Program Partners to address how to rectify this. We would appreciate an opportunity to meet with you and CBP management to discuss methods for ensuring that the critical role of local governments in the overall Bay restoration effort is enhanced as a result of reorganization.

Sincerely,



Martin Nohe, Chair, Chesapeake Bay and Water Resources Policy Committee,  
Metropolitan Washington Council of Governments  
Member, Prince William County Board of Supervisors

Cc: Diana Esher, Deputy Director, EPA Chesapeake Bay Program  
Members, Chesapeake Bay and Water Resources Policy Committee